

REMARKS

In the Action dated December 3, 2001, the Examiner has favorably considered Applicant's request for reconsideration of the finality of the last Office Action and withdrawn the finality of that action. The Examiner's action is gratefully acknowledged.

In the present Action, the Examiner has rejected Claims 1, 3-7 and 9-12 under 35 U.S.C. §103(a) as being obvious over *Buxton, et al.*, U.S. Patent No. 5,798,752. That rejection is respectfully traversed.

The method and system of the present invention are directed to a technique for the efficient execution of a predefined process within a data processing system by specifying a predefined process which comprises a plurality of key strokes, associating that predefined process with a movable cursor and thereafter executing that predefined process on any suitable object within said data processing system in response to each subsequent graphic selection of a suitable object and depression of at least one button associated with the pointing device until that association has been disabled by the user. The Examiner has cited *Buxton, et al.*, for its teaching of the execution of predefined processes within a data processing system and has mistakenly asserted that each predefined process is associated with a cursor 55 and thereafter executed on objects 52 in response to each subsequent graphic selection of objects 52 by the user utilizing cursor 55. Applicant urges the Examiner to consider that this interpretation is simply not accurate.

As clearly set forth within *Buxton, et al.*, a transparent overlay 60 is created having a number of delineated regions. Each of the delineated regions is associated with a particular tool or process. Thereafter, as clearly described by *Buxton, et al.*, at column 24, line 17, *et seq.*, tools may be created and modified by "moving, copying, deleting and overlapping tools to organize the overlay, discussed above ..." (Emphasis added) Thereafter, at column 24, line 46, *et seq.*, *Buxton, et al.*, describes the

user either positioning the overlay over a fixed scene or moving the scene under the overlay. Thereafter, as completely described within *Buxton, et al.*, the particular tool associated with a section of overlay 60 will be applied to a selected object when that object is selected by the mouse utilizing cursor 55. Thus, it should be clear that the process described within *Buxton, et al.*, is not associated with movable cursor 55 but rather with transparent overlay 60. Thus, it should further be clear that the process described within a particular frame within transparent overlay 60 will not be executed upon selection of a suitable object within the data processing system by the cursor but only in response to the positioning of the overlay above the object and the subsequent selection of that object by cursor 55.

Support for this position can clearly be seen by examining Claim 1 of *Buxton, et al.*, at column 38, line 43, *et seq.*, wherein *Buxton, et al.*, describes the method of operating the computer system utilizing a plurality of displayed tools and a displayed cursor. The user is described as activating a particular tool by "moving a tool-defining region associated with the particular tool toward the cursor" and thereafter "generating a cursor event with the tools and the cursor being simultaneously and independently positionable ..." Similarly, within Claim 2 at column 39, line 1, *et seq.*, the display device is described as including a visual depiction of a number of tool-defining regions and a cursor which can be moved toward the cursor in response to a first set of signals from a first input device and wherein thereafter the cursor is positioned relative to the tool-defining regions utilizing a second input device such that the operation defined by a particular tool-defining region is performed "in response to a cursor event within the particular tool-defining region."

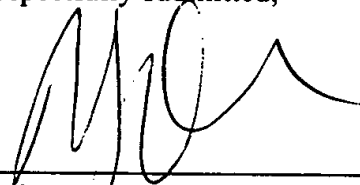
Consequently, Applicant urges the Examiner to consider that if the Examiner wishes to consider the association of a predefined process with a movable cursor to be suggested by the transparent overlay 60 of *Buxton, et al.*, then *Buxton, et al.*, clearly fails to show execution of that predefined process in response to depression of a button associated with the pointing device. Further, if the Examiner agrees that selection of an object utilizing a button associated with the pointing

device is indeed what executes the predefined process of *Buxton, et al.*, then it is clear that the predefined process is associated with the transparent overlay 60 and not with cursor 55.

In view of the above, Applicant respectfully urges that Claims 1, 3-7 and 9-12 define patentable subject matter over *Buxton, et al.* Further, Applicant notes that *Buxton, et al.*, has an effective filing date of July 21, 1993, and that the present Application relates to U.S. Patent No. 5,874,963, which was filed on December 1, 1993. Further, the Attorney Docket Number associated with this Application indicates that the disclosure was submitted in 1992, and Applicant is investigating the file in the present Application to determine whether or not *Buxton, et al.*, is indeed prior art to the present Application.

No fee is believed to be required; however, in the event any additional fees are required, please charge IBM Corporation Deposit Account No. **09-0461**. No extension of time is believed to be required; however, in the event any extension is required, please consider that extension requested and please charge any associated fee and any additional required fees to IBM Corporation Deposit Account No. **09-0461**.

Respectfully submitted,



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